

PATRICIA COPELAND and )  
STEVEN COPELAND, )  
 )  
Plaintiffs, )  
 )  
v. ) CASE NO.: \_\_\_\_\_  
 ) JUDGE  
TARGET CORPORATION, ) JURY DEMAND  
 )  
Defendant. )

Pursuant to 28 U.S.C. §§ 1332, 1441 and 1446, Defendant Target Corporation ("Target") files this Notice of Removal of Civil Action on the grounds of diversity of citizenship of the parties. In support of this Notice, Defendant would show the Court as follows:

Case 3:20-cv-01100 Document 1 Filed 12/22/20 Page 1 of 3 PageID #: 27

2. Collective **Exhibit 1** attached hereto includes the only documents filed in this case. No further proceedings have been filed in the action pending in the Circuit Court of Rutherford County, Tennessee.

3. Defendant Target was served with the Summons and Complaint on December 1, 2020. *See Exhibit 1. See id.*

4. The Plaintiffs seek damages for personal injuries which Plaintiffs allege were caused by the negligence of the Defendant. The ad damnum set forth in the Plaintiffs' Complaint seeks an amount of \$975,000.00.

5. Under 28 U.S.C. § 1441(a), actions over which the district courts of the United States have original jurisdiction are proper for removal. This Court has original jurisdiction over this case under 28 U.S.C. § 1332(a)(1). This action is removable to this Court because this is a civil action, the Plaintiffs and the Defendants are citizens of different states within the meaning of 28 U.S.C. § 1332, and the amount in controversy exceeds Seventy-Five Thousand Dollars and 00/100 (\$75,000.00), exclusive of interest and costs. The Plaintiffs are citizen residents of Texas. The Defendant, Target Corporation, is a Minnesota Corporation with its principal offices located in Minnesota.

6. Based upon the foregoing, this Court has original jurisdiction over the above entitled action pursuant to 28 U.S.C. § 1332. Because the Plaintiffs and the Defendants are citizens of different states and the amount in controversy exceeds \$75,000.00, exclusive of interest and costs, removal of this action is proper pursuant to 28 U.S.C. § 1441(a) under the procedures set forth in 28 U.S.C. § 1446.

7. This Notice of Removal is filed with the Clerk of the United States District Court for the Middle District of Tennessee, Nashville Division, within thirty (30) days, as computed by Fed. R. Civ. P. 6(a), of service of process upon Defendant, Target Corporation.

8. A copy of this Notice of Removal and Collective **Exhibit 1** attached hereto has been filed with the Circuit Court Clerk for the Circuit Court of Rutherford County, Tennessee. Further, a notice of this filing along with a copy of this Notice of Removal and Collective **Exhibit 1** has been served on the Plaintiffs by and through their counsel.

WHEREFORE, based upon the foregoing, Defendant, Target Corporation, hereby serves notice that the above-captioned action pending against Defendant in the Circuit Court of Rutherford County, Tennessee has been removed therefrom to this Court.

Respectfully submitted,

**THOMAS TUCKER LAW**

By: s/Thomas W. Tucker III  
THOMAS W. TUCKER III, #22319  
Attorney for Target Corporation  
1345 Tilton Drive  
Franklin, Tennessee 37067  
615/244-4693  
tomtucker@bellsouth.net

### **CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the foregoing has been forwarded to Mr. D. Russell Thomas, **THOMAS AND BROWN**, 138 South Cannon Avenue, Murfreesboro, Tennessee 37129, on this 22<sup>nd</sup> day of December, 2020.

s/Thomas W. Tucker III  
THOMAS W. TUCKER III